

By: Representative Zuber

To: Judiciary B

HOUSE BILL NO. 817

1 AN ACT TO AMEND SECTION 73-35-7, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE REAL ESTATE BROKERS AND SALESPERSONS TO BE UNITED STATES
3 CITIZENS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 73-35-7, Mississippi Code of 1972, is
6 amended as follows:

7 73-35-7. Licenses shall be granted only to persons who
8 present, and to corporations, partnerships, companies or
9 associations whose officers, associates or partners present
10 satisfactory proof to the commission that they are trustworthy and
11 competent to transact the business of a real estate broker or real
12 estate salesperson in such manner as to safeguard the interests of
13 the public. Every person who applies for a resident license as a
14 real estate broker: (a) shall be age twenty-one (21) years or
15 over, a citizen of the United States and have his legal domicile
16 in the State of Mississippi at the time he applies; (b) shall be
17 subject to the jurisdiction of this state, subject to the income
18 tax laws and other excise laws thereof, subject to the road and
19 bridge privilege tax laws thereof; (c) shall not be an elector in
20 any other state; (d) shall have held a license as an active real
21 estate salesperson for twelve (12) months immediately prior to
22 making application for the broker's examination hereafter
23 specified; (e) shall have successfully completed a minimum of one
24 hundred twenty (120) hours of courses in real estate as hereafter
25 specified; and (f) shall have successfully completed the real
26 estate broker's examination as hereafter specified.



27 An applicant who has not held an active real estate
28 salesperson's license for a period of at least twelve (12) months
29 immediately prior to submitting an application shall have
30 successfully completed a minimum of one hundred fifty (150)
31 classroom hours in real estate courses, which courses are
32 acceptable for credit toward a degree at a college or university
33 as approved by the Southern Association of Colleges and Schools.

34 Every applicant for a resident license as a real estate
35 salesperson shall be age eighteen (18) years or over, shall be a
36 bona fide resident of the State of Mississippi prior to filing his
37 application, and shall have successfully completed a minimum of
38 sixty (60) hours in courses in real estate as hereafter specified;
39 and shall have successfully completed the real estate
40 salesperson's examination as hereafter specified.

41 The residency requirements set forth in this section shall
42 not apply to those licensees of other states who qualify and
43 obtain nonresident licenses in this state.

44 The commission is authorized to exempt from such prelicensing
45 educational requirements, in whole or in part, a real estate
46 licensee of another state who desires to obtain a license under
47 this chapter; provided, however, that the prelicensing educational
48 requirements in the other state are determined by the commission
49 to be equivalent to prelicensing educational requirements in this
50 state and provided that such state extends this same privilege or
51 exemption to Mississippi real estate licensees.

52 **SECTION 2.** This act shall take effect and be in force from
53 and after July 1, 2003.

